

PRESIDENTS & REASONS

To be Humbly Represented to the

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Right Hon^{ble} the Lords Spiritual & Temporal in Parliament Assembled, For their Lordships Ordering, the Hearing and Determining of such Complaints and Appeals after the Recess of this Parliament, as are now Depending before their Lordships, and cannot be Determin'd this present Session, subject to a review in Parliament if Cause. *Gym: Walter Williams*

IN the Parliament held in the 3d. year of Henry V. a Complaint against the Earl of Arundel, for Claiming Free Warren in other Mens Grounds; was Represented by the Commons to the King and Lords; whereunto the Answer was, *That the Chancellour and Justices of both Benches, should have full Power to do therein, as to Them should seem Just*, as appears by the Parliament Roll of that year, Number 28.

Upon the like Complaint, of one John Bramton, against a Fraudulent Recovery of Two Manors; It was pray'd that the King would Grant that the Chancellour of England for the time being, might by the Authority of Parliament, have power to Hear and Determin' the Matter; Whereunto, the Answer was, *That the said John Bramton should have a Commission to that purpose, as appears by the Parliament Roll of the said 3d. of Henry V. Number 45.*

The like was done, upon the Complaint of Tutbury and Sharp, touching a Ship that was lost; the Answer was, *That the Chancellour, with the Advice of Three of the Justices, should have power to take Order therein*; as appears by the Roll of the same Parliament, Number 49.

Upon the like Complaint of one Whittington and his Son, against a Release obtained by Durels; It was referred to be Determin'd by the King's Privy-Council; as appears by the Parliament Roll of the 4th. of Henry V. Number 15.

In the 1st. of Henry VI. It was Enacted, *That all such Petitions, as should not be ended in that Parliament, should be committed to the Council to be Determined*; as appears by the Roll of that year, Number 15.

The like was done, in the 6th. of Henry VI. as appears by that Parliament Roll, Number 45. And in the 8th. of Henry VI. as also appears by the Parliament Roll of that year, Number 69.

In the Journals of the Lords House, of the 28th. of May 1624. which was in the 22d. year of King James I. It appears, that upon the Petition of William Mathews, against a Decree in Chancery, obtained by George Mathews; The Lords Committees appointed to examin the Cause, being of Opinion the Decree was to be Reversed, made Their Report; *That there was due to the said William, from the said George, the Sum of 5260 l.* Whereupon, in the Afternoon of the same day, George Mathews Petitioned the Lords against the Reversing the Decree upon Petition only; Alledging, that it had been the course of that House, not to Reverse Decrees, but by Bill Legally Exhibited.

Upon Reading of which Petition, several Lords were appointed to frame an Order in that Cause, the Parliament being then drawing near to an end: Whereupon They made an Order, and Reported it to the House the next day, that the said Cause should be Review'd in Chancery by the Lord Keeper, assisted by such of the Lords of Parliament as should be nominated by the House; And by any two of the Judges, that the Lord Keeper should name; And that the Lord Keeper should be an humble Suiter to the King from the House, for a Commission to himself, and the Lords that should be nam'd by the House for the said Review, and final Determination of the Cause, as to Them should seem Just and Equal; Which Order being Read, the House approved thereof, and named two Earls, two Bishops, and two Barons, to be joyned in Commission with the Lord Keeper, for the purpose aforesaid. And by Virtue of which Order, the Cause was Heard and Determined, and the first Decree Revers'd; As appear'd by the Register's Book of Orders in Chancery of Hillary Term following.

The Reasons for Imitation of these Presidents at this time amongst many more, that might be shew'd, are,

First, For that there are several Appeals in Causes of considerable value, that are not likely to be Determined this Session.

Secondly, For that the shortest delay of Justice is grievous to those that want it.

Thirdly, If any Man hath gotten any Money, or mesne profits of any Estate, by means of a mistaken Decree; He that hath so got it, may be dead, without assets, or become insolvent before the next Session, or meeting of the Parliament; and if so, no Restitution can ever be made.